

A U S T I N C I T Y C O U N C I L

# AGENDA



Thursday, March 01, 2007

+ Back Print

**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION**

**ITEM No. 59**

**Subject:** C14-06-0084.SH - Zachary Scott Subdivision Tract 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10142-10620 Bradshaw Road (Onion Creek and Rinard Creek Watersheds) from interim-rural residence (I-RR) district zoning to single-family residence-small lot (SF-4A) district zoning. Staff Recommendation: To grant single-family residence-small lot (SF-4A) district zoning. Zoning and Platting Commission Recommendation To grant single-family residence-small lot (SF-4A) district zoning. Applicant. Lennar Buffington Zachary Scott, L P (Bryan Sims) Agent. Cuatro Consultants, Ltd (Hugo Elizondo, Jr ) City Staff Wendy Walsh, 974-7719.

**Additional Backup  
Material**

(click to open)

- Staff Report
- Ordinance

**For More Information:**

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-06-0084 SH

**Z.A.P. DATE:** January 9, 2007

**ADDRESS:** 10142 – 10620 Bradshaw Road

**OWNER:** Lennar Buffington Zachary Scott, LP  
(Patrick J. Starley, Bryan N. Sims)

**AGENT:** Cuatro Consultants, Ltd.  
(Hugo Elizondo, Jr.)

**ZONING FROM:** I-RR

**TO:** SF-4A

**AREA:** 26.870 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant single family residence small lot (SF-4A) district zoning.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

January 9, 2007 *APPROVED SF-4A DISTRICT ZONING; BY CONSENT.*

*[J GOHIL, J. PINNELLI – 2<sup>ND</sup>] (6-0, B BAKER AND J MARTINEZ – ILL; S HALE  
- ABSENT*

### **ISSUES:**

This rezoning case has been approved to participate in the City's S M A R T (Safe, Mixed-Income, Accessible, Reasonably-priced, Transit-Oriented) Housing expedited review program. Please refer to Attachment B

### **DEPARTMENT COMMENTS:**

The subject property is undeveloped, zoned interim – rural residence (I-RR, upon its annexation into the City limits) and is accessed by way of Bradshaw Road. The zoning area is the western portion of the Zachary Scott subdivision, the eastern portion is across Bradshaw Road. The River Ridge manufactured home community is to the north (County), Onion Creek subdivision (I-SF-2) is to the west and a subdivision to be known as Legend's Way is to the southeast (I-RR). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View and Floodplain Overlay) and A-2 (Vicinity Map).

The Applicant requests single family residence small lot (SF-4A) district zoning consistent with the approved Preliminary Plan in order to build 59 residential lots. Staff is recommending SF-4A zoning as it is compatible use and zoning with the surrounding residential subdivisions, and is consistent with the Council's policy of providing opportunities for S.M.A.R T. Housing to occur.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	County	Undeveloped; River Ridge manufactured home community
<i>South</i>	I-RR	Undeveloped; Onion Creek Golf Course
<i>East</i>	I-RR	Undeveloped; Tract 1 of Zachary Scott subdivision
<i>West</i>	County, CR-CO, I-SF-2	Undeveloped; Onion Creek Golf Course; Single family residences within Onion Creek subdivision; 100-year flood plan

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHEDS:** Onion and Rinard Creeks **DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

- 300 – Terrell Lane Interceptor Association
- 428 – Barton Springs / Edwards Aquifer Conservation District
- 511 – Austin Neighborhoods Council                      627 – Onion Creek Homeowners Association
- 742 – Austin Independent School District

**SCHOOLS:**

Menchaca Elementary School Paredes Middle School                      Charles Akins High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-04-0211 – Onion Creek RV and Boat Storage	I-RR to LR	To Grant LR-CO with CO for 2,000 trip limit	Approved LR-CO as recommended by ZAP Commission (9-29- 05).
C814-04-0187.SH – Goodnight Ranch PUD	I-RR to PUD	To Grant PUD with conditions	Approved PUD (11- 16-06).
C14-04-0052 & C14-04-0053 – Onion Creek Golf Course, Tracts 4 through 8	I-RR to CR	To Grant CR-CO with CO for list of prohibited uses	Approved CR-CO as recommended by the ZAP Commission (5- 6-04).

**RELATED CASES:**

The property was annexed into the City limits on March 15, 2004. The subject property represents 59 of the 973 total single family residences that compose the Preliminary Plan of Zachary Scott Subdivision (Revision #1), approved on April 12, 2006 (C8-04-0033 01 SH) There are no final plats in process or recorded on this property Please refer to Exhibit B.

**ABUTTING STREETS:**

<b>NAME</b>	<b>ROW</b>	<b>PAVEMENT</b>	<b>CLASSIFICATION</b>	<b>CAPITAL METRO</b>	<b>SIDEWALKS</b>
Old Lockhart Highway	60 feet	Varies	Major Arterial Divided - 4	No	No
Bradshaw Road (Future Pleasant Valley Road)	60 feet	26 feet	Minor Arterial / Major Arterial Divided 4	No	No

**CITY COUNCIL DATE:** February 15, 2007

**ACTION:** Approved a Postponement request by the Applicant to March 1, 2007 (7-0).

March 1, 2007

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

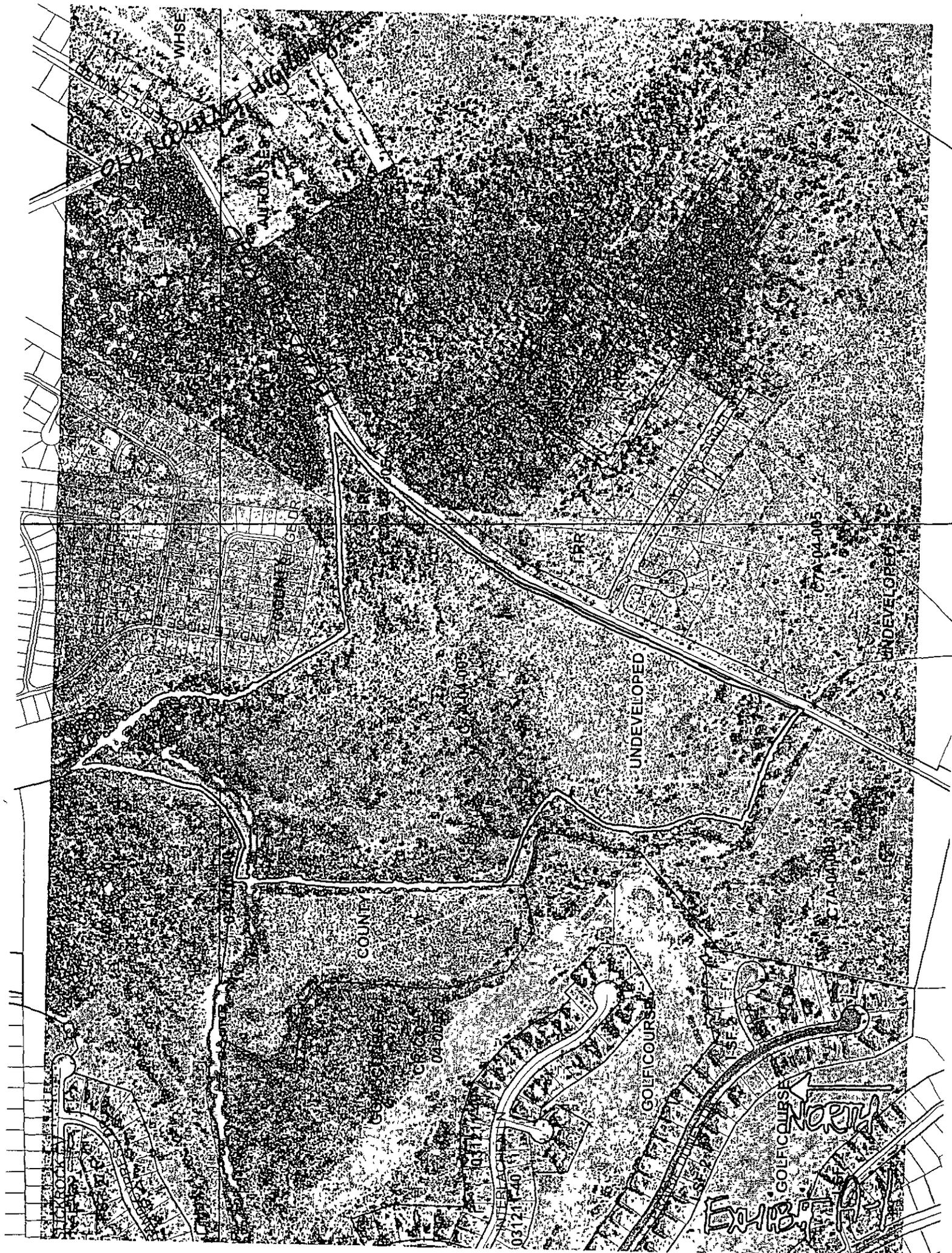
**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Walsh  
e-mail: wendy.walsh@ci.austin.tx.us

**PHONE:** 974-7719



 1" = 600'	SUBJECT TRACT 	<b>ZONING</b> <i>Exhibit A.</i>	CITY GRID REFERENCE NUMBER G11
	PENDING CASE 		
	ZONING BOUNDARY 		
	CASE #: C14-06-0084.SH		
	CASE MGR: W.WALSH		
ADDRESS: 10142-10620 BRADSHAW RD	DATE: 06-11		
SUBJECT AREA (acres): 59.140	INTLS: TRC		



WHSE

AUTOMOBILES

UNDEVELOPED

UNDEVELOPED

COUNTY

GOLF COURSE

GOLF COURSE

KIDNEY NORTH

EXHIBIT A

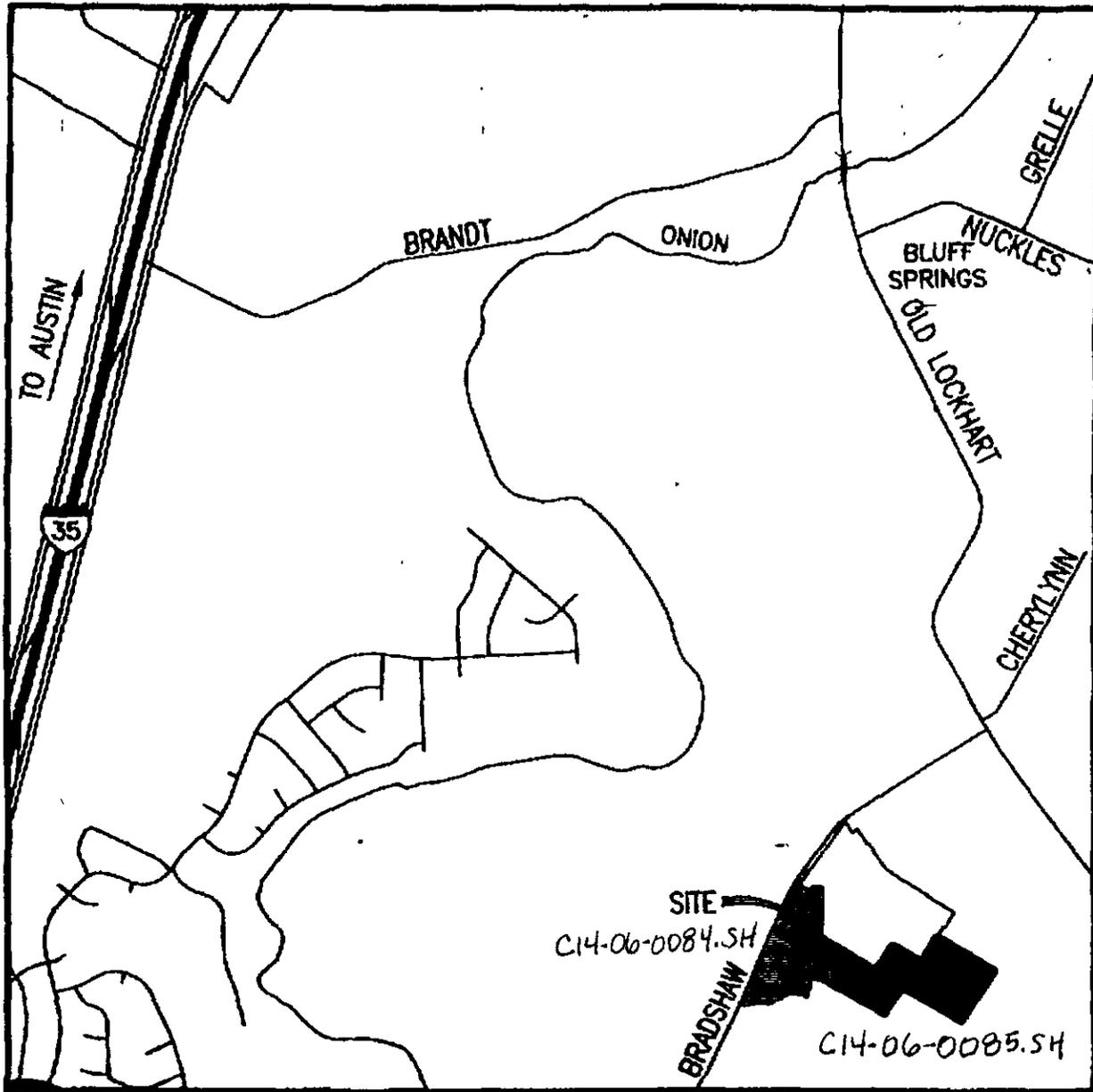
CA 04-005

CA 04-005

CA 04-005

031211-40





LOCATION MAP

EXHIBIT A-2





# City of Austin

P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

## Neighborhood Housing and Community Development Department

Gina Copic, S.M.A.R.T. Housing Program Manager  
(512) 974-3180, Fax (512) 974-3112, [gina.copic@cityofaustin.texas.gov](mailto:gina.copic@cityofaustin.texas.gov)

January 7, 2005

**S.M.A.R.T. Housing Certification**  
**Lennar Buffington Zachary Scott Subdivision**  
**Southeast of intersection of Old Lockhart Rd and Bradshaw**

### TO WHOM IT MAY CONCERN:-

Lennar Homes (Paul Powell, 418-0258 x274 (o), 294-4146 (m), [Paul.Powell@Lennar.com](mailto:Paul.Powell@Lennar.com)) is planning to develop a 992 unit single-family development southeast of intersection of Old Lockhart Rd and Bradshaw Rd. This proposed development is not in an active City of Austin Neighborhood Planning Area.

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 60% of the homes will serve households at or below 80% Median Family Income (MFI) or below, the development will be eligible for full waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees	Concrete Permit	Mechanical Permit
Building Permit	Electrical Permit	Plumbing Permit
Construction Inspection	Subdivision Plan Review	Zoning Verification
	Regular Zoning Fee	Land Status Determination

### Prior to filing of building permit applications and starting construction, the developer must:

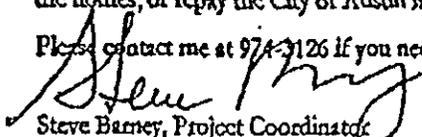
- ✦ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Austin Energy: Dick Peterson, 482-5372).
- ✦ Submit the S.M.A.R.T. Housing Residential Completeness Check, Permit Application, and plans demonstrating compliance with visitability and transit-oriented standards to single-family permit intake staff at One Texas Center, 505 Barton Springs Road.

### Before a Certificate of Occupancy will be granted, units in the development must:

- ✦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ✦ Pass a final inspection by NHCD to certify that visitability and/or accessibility and transit-oriented standards have been met.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the homes, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me at 974-3126 if you need additional information.

  
Steve Barney, Project Coordinator  
Neighborhood Housing and Community Development Office

- |    |                          |                              |                     |
|----|--------------------------|------------------------------|---------------------|
| Cc | Gina Copic, NHCD         | Stuart Hersh, NHCD           | Yolanda Prada, WPDR |
|    | Javier Delgado, NHCD     | Janet Gallagher, WPDR        | Marcia Volpe, WPDR  |
|    | Robby McArthur, WWW Taps | Dick Peterson, Austin Energy | Lisa Niede, WPDR    |
|    | Adam Smith, NPZD         | Ricardo Soliz, NPZD          |                     |

ATTACHMENT B

### **SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant single family residence small lot (SF-4A) district zoning

### **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The single family residence small lot (SF-4A) district is intended as an area for moderate density single-family residential use, with a minimum lot size of 3,600 square feet. In appropriate locations, small lot single-family use is permitted under standards that maintain single-family neighborhood characteristics.

2. *Zoning changes should promote compatibility with adjacent and nearby uses*

Staff is recommending SF-4A zoning as it is compatible use and zoning with the surrounding residential subdivisions, and is consistent with the Council's policy of providing opportunities for S M A R T Housing to occur

### **EXISTING CONDITIONS**

#### **Site Characteristics**

The site is undeveloped and slopes to the west towards the confluence of Onion and Rinard Creeks, which form the western boundary

#### **Impervious Cover**

The maximum impervious cover allowed by the SF-4A zoning district would be 55%, which is based on the more restrictive zoning regulations.

#### **Environmental**

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Onion and Rinard Watersheds of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits.

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq ft)	45%	50%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is floodplain within, or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention

### **Transportation**

No additional right-of-way is needed at this time. Street right-of-way dedication is being addressed during the subdivision process with the Zachary Scott preliminary plan (C8-04-0033.01 SH) and final plat applications (C8-04-0033 1A.SH, C8-04-0033 2A.SH, C8-04-0033.3A.SH).

The trip generation under the requested zoning is estimated to be 6,860 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

- a.) Based on the approved preliminary plan for the subdivision, there are 59 residential lots proposed which is estimated will generate 563 trips per day

### **Water and Wastewater**

The landowner intends to serve each lot with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, and system upgrades. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City.

### **Compatibility Standards**

The requested zoning does not trigger the application of compatibility standards.

**Walsh, Wendy**

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**From:** Bryan Sims@Lennar.com  
**Sent:** Wednesday, February 14, 2007 9:30 AM  
**To:** Walsh, Wendy  
**Subject:** Zachary Scott Tracts 1 & 2 - Zoning Case Postponement

Dear Mayor and Council Members,

As representative for Lennar Buffington Zachary Scott, LP and Zachary Scott Tracts 1 and 2, please accept this request to postpone our zoning case hearing until the next City Council meeting in order to work with City staff to finalize the Traffic Phasing Agreement associated with the TIA

Thanks.

Bryan N. Sims, P.E.  
Project Manager  
Lennar Land - Austin  
(512) 418-0258 ext 259

2/14/2007

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE  
2 PROPERTY LOCATED AT 10142-10620 BRADSHAW ROAD AND CHANGING  
3 THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT  
4 TO SINGLE FAMILY RESIDENCE SMALL LOT (SF-4A) DISTRICT.

5  
6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
7

8 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to  
9 change the base district from interim-rural residence (I-RR) district to single family  
10 residence small lot (SF-4A) district on the property described in Zoning Case No. C14-06-  
11 0084.SH, on file at the Neighborhood Planning and Zoning Department, as follows:  
12

13 A 59.140 acre tract of land, more or less, out of the Santiago Del Valle Grant and  
14 being a part of Tract 2, the tract of land being more particularly described by metes  
15 and bounds in Exhibit "A" incorporated into this ordinance,  
16

17 locally known as 10142-10620 Bradshaw Road, in the City of Austin, Travis County,  
18 Texas, and generally identified in the map attached as Exhibit "B".  
19

20 PART 2. This ordinance takes effect on \_\_\_\_\_, 2007.  
21

22  
23 PASSED AND APPROVED

24  
25 §  
26 §  
27 \_\_\_\_\_, 2007 § \_\_\_\_\_  
28

29 Will Wynn  
30 Mayor

31  
32 APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
33 David Allan Smith Shirley A. Gentry  
34 City Attorney City Clerk

## EXHIBIT A

FIELD NOTE DESCRIPTION FOR TRACT 2, A 59.140 ACRE TRACT OF LAND:

BEING A TRACT OR PARCEL OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT, AND BEING A PART OF TRACT 2 AS DESCRIBED IN A SPECIAL WARRANTY DEED TO LENNAR BUFFINGTON ZACHARY SCOTT, L.P. FROM THE FROST NATIONAL BANK, TRUSTEE OF THE Z.T. SCOTT, JR., ET TRUST UNDER TO WILL OF Z.T. SCOTT, DECEASED, ET AL, DATED SEPTEMBER 3, 2004, AND RECORDED IN DOCUMENT NO. 2004186026, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a point in the west right-of-way line of Bradshaw Road, for the South corner of that certain tract of land as described in a deed to JADCO Development, Inc., recorded in Volume 13222, Page 2560, of the Real Property Records of Travis County, Texas, for the Northeast corner of said Tract 2, and for the Northeast corner and POINT OF BEGINNING of the herein described tract;

THENCE with the west right-of-way line of said Bradshaw Road, following six (6) courses:

1. South  $58^{\circ}43'26''$  West, a distance of 70.40 feet to a point at the beginning of a curve to the left;
2. Along said curve to the left an arc length of 252.32 feet, having a radius of 604.88 feet, a delta angle of  $23^{\circ}54'00''$ , a chord bearing of South  $46^{\circ}38'41''$  West, and a chord distance of 250.49 feet to a point;
3. South  $34^{\circ}47'02''$  West, a distance of 295.71 feet to a point, for an angle corner of this tract;
4. South  $37^{\circ}14'17''$  West, a distance of 255.32 feet to a point at the beginning of a curve to the left;
5. Along said curve to the left an arc length of 232.89 feet, having a radius of 942.51 feet, a delta angle of  $14^{\circ}09'28''$ , a chord bearing of South  $30^{\circ}20'56''$  West, and a chord distance of 232.30 feet to a point;
6. South  $23^{\circ}32'40''$  West, a distance of 1,288.46 feet to a point in the centerline of Rinards Branch, for the Northeast corner of that certain tract of land as described in a deed to Aus-Tex Parts and Service, Ltd., recorded in Document No. 2003188470, of the Official

Public Records of Travis County, Texas, for the Southeast corner of said Tract 2, and for the Southeast corner of this tract;

THENCE with the centerline of said Rinards Branch and the north line of the said Aus-Tex tract, the following three (3) courses:

1. North  $47^{\circ}20'22''$  West, a distance of 35.22 feet to a point, for an angle corner of this tract;
2. North  $59^{\circ}10'22''$  West, a distance of 276.94 feet to a point, for an angle corner of this tract;
3. North  $76^{\circ}00'22''$  West, a distance of 221.94 feet to a point, for an angle corner of the said Aus-Tex tract, for an angle corner of that certain tract of land as described in a deed to Lennar Buffington Zachary Scott, L.P. from Frost National Bank, Trustee of the Z.T. Scott, Jr., et al Trust under the will of Z.T. Scott, Deceased, et al, recorded in Document No. 2005169370 of the Official Public Records of Travis County, Texas, for an angle corner of said Tract 2, and for an angle corner of this tract;

THENCE with the south line of said Tract 2 and the north line of the said Lennar Buffington tract, the following eight (8) courses;

1. North  $07^{\circ}04'38''$  East, a distance of 223.05 feet to a point, for an angle corner of this tract;
2. North  $17^{\circ}00'22''$  West, a distance of 239.17 feet to a point, for an angle corner of this tract;
3. North  $06^{\circ}30'22''$  West, a distance of 146.94 feet to a point, for an angle corner of this tract;
4. North  $38^{\circ}19'38''$  East, a distance of 105.56 feet to a point, for an angle corner of this tract;
5. North  $40^{\circ}39'38''$  East, a distance of 194.44 feet to a point, for an angle corner of this tract;
6. North  $49^{\circ}20'22''$  West, a distance of 143.06 feet to a point, for an angle corner of this tract;

7. North 59°55'22" West, a distance of 195.56 feet to a point, for an angle corner of this tract;
8. North 80°50'22" West, a distance of 125.28 feet to a point in the east line of that certain tract of land as described in a deed to Legend's Way Development Company, recorded in Document No. 2001174967, of the Official Public Records of Travis County, Texas, for the Southwest corner of said Tract 2, for an angle corner of the said Lennar Buffington tract, and for the Southwest corner of this tract;

THENCE with the east line of the said Legend's Way tract, the following two (2) courses:

1. North 01°50'22" West, a distance of 583.33 feet to a point, for an angle corner of this tract;
2. North 02°15'22" West, a distance of 505.55 feet to a point in the centerline of Onion Creek, and in the south line of Cypress Ridge, a subdivision recorded in Volume 95, Page 361, of the Plat Records of Travis County, Texas, for the Northeast corner of the said Legend's Way tract, for the Northwest corner of said Tract 2, and for the Northwest corner of this tract;

THENCE with the centerline of said Onion Creek and the south line of said Cypress Ridge, the following four (4) courses;

1. North 84°14'38" East, a distance of 218.89 feet to a point, for an angle corner of this tract;
2. North 55°19'38" East, a distance of 246.11 feet to a point, for an angle corner of this tract;
3. North 22°01'18" East, a distance of 443.47 feet to a point, for an angle corner of this tract;
4. North 16°45'02" West, a distance of 86.67 feet to a point in the south line of Lot 1, Block A, of 151 Acre Tract Subdivision, Recorded in Volume 101, Page 245, of the Plat Records of Travis County, Texas, for an angle corner of said Cypress Ridge, for an angle corner of said Tract 2, and for an angle corner of this tract;

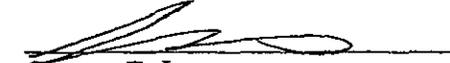
THENCE with the south line of said 151 Acre Tract Subdivision, the following eight (8) courses:

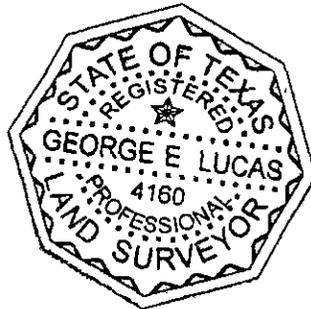
1. South 40°20'01" East, a distance of 348.05 feet to a point, for an angle corner of this tract;

2. South 21°50'01" East, a distance of 60.00 feet to a point, for an angle corner of this tract;
3. South 00°44'59" West, a distance of 207.12 feet to a point, for an angle corner of this tract;
4. South 02°19'59" West, a distance of 56.29 feet to a point, for an angle corner of this tract;
5. South 33°40'01" East, a distance of 555.00 feet to a point, for an angle corner of this tract;
6. North 82°04'59" East, a distance of 240.53 feet to a point, for an angle corner of this tract;
7. South 87°50'11" East, a distance of 54.45 feet to a point, for an angle corner of this tract;
8. North 85°24'49" East, a distance of 222.03 feet to a point, for the Southeast corner of the said 151 Acre Tract Subdivision, for an angle corner of the said JADCO tract, and for an angle corner of this tract;

THENCE with the south line of the said JADCO tract, North 84°48'32" East, a distance of 359.40 feet to the POINT OF BEGINNING, containing 59.140 acres of land, more or less.

These field notes were prepared from existing deeds and plats of record and does not purport to be an on the ground survey.

  
George E. Lucas  
Registered Professional  
Land Surveyor No. 4160  
State of Texas  
Date: March 06, 2006





SUBJECT TRACT   
 PENDING CASE   
 ZONING BOUNDARY   
 CASE MGR: W.WALSH

CASE #: C14-06-0084.SH  
 ADDRESS: 10142-10620 BRADSHAW RD  
 SUBJECT AREA (acres): 59.140

ZONING EXHIBIT B

DATE: 06-11  
 INTLS: TRC

CITY GRID  
 REFERENCE  
 NUMBER  
 G11